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LITIGATION

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TO: Examiner Casimer J. Jacyna

OF: United States Patent and Trademark Office

TELEFACSIMILE NO.: 703-872-9306

FROM: H.T. Than

Re: Response to Election of Species Requirement
Application No.: 10/725,244
Filed: December 1, 2003
Our Ref. No.: BIC-027

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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10725,244	
	Filing Date	December 1, 2003	
	First Named Inventor	Paul ADAMS	
	Art Unit	3751	
	Examiner Name	Casimer J. Jacyna	
Total Number of Pages in This Submission	2	Attorney Docket Number	BIC-027

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): - Response to Election of Species Req.
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	The H.T. Than Law Group		
Signature	<i>Jennifer R. Mahalingappa</i>		
Printed name	Jennifer R. Mahalingappa		
Date	June 2, 2005	Reg. No.	47,765

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICEApplication of: Paul ADAMS *et al.*

Group Art Unit: 3751

Application No.: 10/725,244

Examiner: Casimer J. Jacyna

Filed: December 1, 2003

Attorney Docket No.: BIC-027

For: Fuel Cell Supply Having Fuel Compatible Materials

RESPONSE TO ELECTION OF SPECIES REQUIREMENTCommissioner of Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Election of Species Requirement mailed on May 3, 2005, Applicants elect Species 2, the embodiment with a septum and ball valve including at least claims 1-5, 8-43, and 46-56. This election is without traverse.

The Examiner has designated claim 1 as generic to all of the claims. Applicants assert that claims 2-5, 10-43, and 48-56 are also generic to the species identified by the Examiner, as either the septum and ball valve of Species 2 or the plunger valve of non-elected Species 1 is included within the scope of these claims. Further, Applicants respectfully reserve the right to have claims 6, 7, 44 and 45, which are readable on the non-elected species, considered in this application should any of the generic claims from which they depend be allowed.

In light of the preceding, Applicants believe that the application is now in condition for allowance, early notice of which would be greatly appreciated. The Examiner is invited to telephone the undersigned attorney of record if he believes that such a call would materially advance the prosecution and eventual allowance of the present application.

Applicants believe that no fees are due in connection with the submission of this Response. If any fee is due, the Commissioner may charge appropriate fees to H.T. Than Law Group, Deposit Account No. 50-1980.

Respectfully submitted,

Date June 2, 2005*Quinn R. Mahalingam, Reg. No. 47,765*
H.T. Than, Reg. No. 38,632 *for H.T. Than***H.T. Than Law Group**
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